

# Senate Study Bill 3175

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
CHAIRPERSON DVORSKY)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to housing and shelter for lower-income persons,  
2 including by providing for the disposition of certain real  
3 estate transfer tax receipts to the general fund, the housing  
4 trust fund, and the shelter assistance fund, and making  
5 appropriations to the housing trust fund from the rebuild Iowa  
6 infrastructure fund.  
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
8 TLSB 5706SC 82  
9 tw/nh/24

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1 1 Section 1. HOUSING TRUST FUND == APPROPRIATION. There is  
1 2 appropriated from the rebuild Iowa infrastructure fund to the  
1 3 Iowa finance authority for the designated fiscal years, the  
1 4 following amounts, to be deposited in the housing trust fund  
1 5 created in section 16.181:  
1 6 FY 2009=2010..... \$ 3,000,000  
1 7 FY 2010=2011..... \$ 3,000,000  
1 8 FY 2011=2012..... \$ 2,000,000  
1 9 FY 2012=2013..... \$ 1,000,000  
1 10 Sec. 2. Section 428A.8, Code 2007, is amended to read as  
1 11 follows:  
1 12 428A.8 REMITTANCE TO STATE TREASURER == PORTION RETAINED  
1 13 IN COUNTY == DEPOSIT OF RECEIPTS.  
1 14 1. a. On or before the tenth day of each month the county  
1 15 recorder shall determine and pay to the treasurer of state  
1 16 eighty-two and three-fourths percent of the receipts from the  
1 17 real estate transfer tax collected during the preceding month  
1 18 and the treasurer of state shall deposit ~~ninety-five percent~~  
1 19 ~~of the receipts in the general fund of the state and transfer~~  
1 20 ~~five percent of the receipts to the shelter assistance fund~~  
1 21 ~~created in section 15.349 as provided in subsection 2.~~  
1 22 b. The county recorder shall deposit the remaining  
1 23 seventeen and one-fourth percent of the receipts in the county  
1 24 general fund.  
1 25 c. Any tax or additional tax found to be due shall be  
1 26 collected by the county recorder. If the county recorder is  
1 27 unable to collect the tax, the director of revenue shall  
1 28 collect the tax in the same manner as taxes are collected in  
1 29 chapter 422, division III. If collected by the director of  
1 30 revenue, the director shall pay the county its proportionate  
1 31 share of the tax. Section 422.25, subsections 1, 2, 3, and 4,  
1 32 and sections 422.26, 422.28 through 422.30, and 422.73,  
1 33 consistent with this chapter, apply with respect to the  
1 34 collection of any tax or additional tax found to be due, in  
1 35 the same manner and with the same effect as if the deed,  
2 1 instrument, or writing were an income tax return within the  
2 2 meaning of those statutes.  
2 3 d. The county recorder shall keep records and make reports  
2 4 with respect to the real estate transfer tax as the director  
2 5 of revenue prescribes.  
2 6 2. The treasurer of state shall deposit or transfer the  
2 7 receipts paid the treasurer of state pursuant to subsection 1,  
2 8 paragraph "a", to either the general fund of the state, the  
2 9 housing trust fund created in section 16.181, or the shelter  
2 10 assistance fund created in section 15.349 as follows:  
2 11 a. For the fiscal year beginning July 1, 2009, ninety  
2 12 percent of the receipts shall be deposited in the general  
2 13 fund, five percent of the receipts shall be transferred to the  
2 14 housing trust fund, and five percent of the receipts shall be

2 15 transferred to the shelter assistance fund.  
2 16 b. For the fiscal year beginning July 1, 2010, eighty  
2 17 percent of the receipts shall be deposited in the general  
2 18 fund, fifteen percent of the receipts shall be transferred to  
2 19 the housing trust fund, and five percent of the receipts shall  
2 20 be transferred to the shelter assistance fund.  
2 21 c. For the fiscal year beginning July 1, 2011, seventy  
2 22 percent of the receipts shall be deposited in the general  
2 23 fund, twenty-five percent of the receipts shall be transferred  
2 24 to the housing trust fund, and five percent of the receipts  
2 25 shall be transferred to the shelter assistance fund.  
2 26 d. For the fiscal year beginning July 1, 2012, sixty  
2 27 percent of the receipts shall be deposited in the general  
2 28 fund, thirty-five percent of the receipts shall be transferred  
2 29 to the housing trust fund, and five percent of the receipts  
2 30 shall be transferred to the shelter assistance fund.  
2 31 e. For the fiscal year beginning July 1, 2013, fifty-five  
2 32 percent of the receipts shall be deposited in the general  
2 33 fund, forty percent of the receipts shall be transferred to  
2 34 the housing trust fund, and five percent of the receipts shall  
2 35 be transferred to the shelter assistance fund.  
3 1 f. For the fiscal year beginning July 1, 2014, and for  
3 2 each fiscal year thereafter, fifty percent of the receipts  
3 3 shall be deposited in the general fund, forty-five percent of  
3 4 the receipts shall be transferred to the housing trust fund,  
3 5 and five percent of the receipts shall be transferred to the  
3 6 shelter assistance fund.

3 7 EXPLANATION

3 8 This bill relates to the disposition of certain real estate  
3 9 transfer tax receipts by the treasurer of state.

3 10 Currently, when there is consideration and the actual  
3 11 market value of the real property transferred is in excess of  
3 12 \$500, the tax is 80 cents for each \$500 or fractional part of  
3 13 \$500 in excess of \$500. On or before the 10th day of each  
3 14 month, the county recorder determines and pays to the  
3 15 treasurer of state 82.75 percent of the receipts from the real  
3 16 estate transfer tax collected during the preceding month and  
3 17 the treasurer of state deposits 95 percent of the receipts in  
3 18 the general fund of the state and transfers 5 percent of the  
3 19 receipts to the shelter assistance fund.

3 20 The bill modifies the use of the receipts that are paid to  
3 21 the treasurer of state each month. For the fiscal year  
3 22 beginning July 1, 2009, the bill reduces the percentage of  
3 23 receipts deposited in the general fund to 90 percent. For the  
3 24 fiscal year beginning July 1, 2010, the bill reduces the  
3 25 percentage of receipts deposited in the general fund to 80  
3 26 percent. For the fiscal year beginning July 1, 2011, the bill  
3 27 reduces the percentage of receipts deposited in the general  
3 28 fund to 70 percent. For the fiscal year beginning July 1,  
3 29 2012, the bill reduces the percentage of receipts deposited in  
3 30 the general fund to 60 percent. For the fiscal year beginning  
3 31 July 1, 2013, the bill reduces the percentage of receipts  
3 32 deposited in the general fund to 55 percent. For the fiscal  
3 33 year beginning July 1, 2014, and for each fiscal year  
3 34 thereafter, the bill reduces the percentage of receipts  
3 35 deposited in the general fund to 50 percent. In each fiscal

4 1 year that the amount deposited in the general fund is  
4 2 decreased, the housing trust fund is increased by that same  
4 3 amount. The bill does not modify the percentage of receipts  
4 4 transferred to the shelter assistance fund.

4 5 The bill also appropriates moneys from the rebuild Iowa  
4 6 infrastructure fund to the housing trust fund in the following  
4 7 amounts: \$3 million for fiscal year 2009=2010; \$3 million for  
4 8 fiscal year 2010=2011; \$2 million for fiscal year 2011=2012;  
4 9 and \$1 million for fiscal year 2012=2013.

4 10 LSB 5706SC 82

4 11 tw/nh/24